

# What does death penalty suspension mean for King County?

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Dayva Cross, who killed his wife and two stepdaughters, listens at the beginning of his hearing in King County Court on whether he should get the death penalty for his crime. Photo: Dan DeLong, Seattle Post-Intelligencer



With Gov. Jay Inslee's announcement Tuesday that [he will suspend the death penalty](#) for as long as he is governor, [nine death row inmates](#) were granted a reprieve -- at least for the foreseeable future.

Two of those inmates are from King County, both convicted of slaying entire families.

And for now, they'll live to see at least another few years.

Dayva Cross was [convicted in 2001](#) of the 1999 slaying in Snoqualmie of his new wife, 37-year-old Anouchka Baldwin, and her daughters, 18-year-old Salome Holly and 15-year-old Amanda Baldwin. He then held his youngest stepdaughter hostage for hours as he drank wine, smoked and chuckled at a movie.

The state Supreme Court upheld the sentence in 2006 and the U.S. Supreme Court declined to hear an appeal of that decision later that year.

Since then, Cross' attorneys have managed to delay his execution.

King County's other death row inmate, Conner Schierman, [was convicted in 2010 of the 2006 Kirkland massacre](#) that claimed the lives of sisters Lyubov Botvina and Olga Milkin and Milkin's two sons, 5-year-old Justin and 3-year-old Andrew.

Schierman stabbed them in their home and burned the house.

He has since [maintained innocence in the killings](#), saying he woke up from a drunken blackout covered in blood in his neighbors' house and found the dead bodies. He did admit to burning the house.

(A full list of all nine inmates on Death Row can be found [here](#).)

Now two more defendants are scheduled to face trial in April and a possible death sentence for the [Christmas Eve 2007 slaying of six family members in Carnation](#).

The case against Joseph Thomas McEnroe and Michele Kristen Anderson, both charged with six counts of aggravated murder for the death of Anderson's family, has experienced numerous delays over the question of whether the pair should face the death penalty.

In a recent bid to dodge possible execution, McEnroe [tried in January to plead guilty](#) to the slayings before a jury could decide his fate, so far without success.

The only legal punishments available for the crimes alleged are life in prison without parole or execution.

If convicted, the jury will hear a separate trial that will determine whether the pair will be sentenced to death.

Defense attorneys in recent months have argued that the state capital punishment system is flawed to the point of unconstitutionality.

The King County Prosecutor's Office has not yet responded to requests for comment on how the Carnation case will be affected by Inslee's death penalty suspension.

King County Prosecutor Dan Satterberg did, however, issue a statement Tuesday critiquing Inslee's decision as having "limited" legal implications:

"In the short term, it is likely to cause more delay, expense and uncertainty," he said. "A moratorium alone will not resolve the issues raised by the governor."

He added that Washington residents should decide whether the state should retain capital punishment.

Seattle Mayor Ed Murray, however, lauded the decision.

"We have certainly seen evidence that the death penalty has been applied unevenly over the years in many cases of race and social justice," he said in a statement. "As DNA evidence and other advances have been made in technology, more than 140 death row inmates have been exonerated in this country since 1973. Governor Inslee's bold move today is the first step to righting this uneven system."

State Attorney General Bob Ferguson will continue to represent the state in federal appeals made by death row inmates working to appeal their sentences.

However, the attorney general's office said Tuesday that if the inmate exhausts all appeals and reaches the point where the execution is scheduled, Inslee would grant a reprieve, allowing the inmate to remain in prison for the remainder of Inslee's administration.

Ferguson supports Inslee's decision, according to a spokeswoman.